

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

WILLIE HARRIS, JR.,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

CASE NO. 13-cv-05268 RBL

REPORT AND RECOMMENDATION
ON STIPULATED MOTION FOR
REMAND

This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261 (1976). This matter is before the Court on defendant's stipulated motion to remand the matter to the administration for further consideration (ECF No.17).

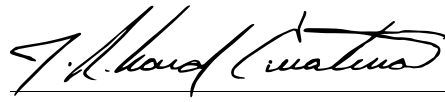
After reviewing defendant's stipulated motion and the relevant record, the undersigned recommends that the Court grant defendant's motion, and reverse and remand this matter to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g).

1 On remand, based on the parties' stipulation, the Administrative Law Judge ("ALJ") shall
2 hold a *de novo* hearing and conduct further administrative proceedings, including but not limited
3 to the following: (1) The ALJ shall consider any updated evidence of record; (2) The ALJ shall
4 reweigh the medical opinions of evidence, articulating the weight assigned each opinion, the
5 reasons for that weight, and the reasons for excluding opined limitations; (3) As necessary, the
6 ALJ shall reconsider the credibility of plaintiff's allegations and reassess his residual functional
7 capacity; and (4) Finally, the ALJ shall obtain supplemental vocational expert evidence.

8 The parties stipulate that this remand be made pursuant to sentence four of 42 U.S.C. §
9 405(g), and that plaintiff shall be entitled to reasonable attorney's fees and costs pursuant to the
10 Equal Access to Justice Act, 28 U.S.C. § 2412(d), following proper request to this Court.

11 Given the facts and the parties' stipulation, the Court recommends that the District Judge
12 immediately approve this Report and Recommendation and order that the case be **REVERSED**
13 and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

14 Dated this 3rd day of September, 2013.

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16 
17 J. Richard Creatura
United States Magistrate Judge